

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF INDIANA  
HAMMOND DIVISION**

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	NO. 2:06-CV-328
	)	
Sturm Ruger Rifle, Model M77,	)	
.22-250 Caliber,	)	
Serial # 78-84048;	)	
New England Firearms Rifle,	)	
Model Sportster, .17 Caliber,	)	
Serial # NV261729;	)	
47 Rounds of Ammunition,	)	
	)	
	)	
Defendants.	)	

**OPINION, ORDER AND DEFAULT JUDGMENT**

This matter is before the Court on the Motion for Default Judgment and Decree of Forfeiture filed by the Government on April 26, 2007. In the presently pending motion, the Government requests default judgment pursuant to Rule 55 of the Federal Rules of Civil Procedure and a decree of forfeiture. For the reasons set forth below, the Government's motion is **GRANTED**.

On October 2, 2006, the Government filed a verified complaint for forfeiture of Defendant property under the Supplemental Rules

for Certain Admiralty or Maritime Claims and Asset Forfeiture Actions ("Supplemental Rules"). According to the complaint, Defendant property is subject to forfeiture pursuant to 18 U.S.C. § 924(d)(1) because Clifford Nelson, Jr., a convicted felon, was found in possession of it in violation of 18 U.S.C. § 922(g)(1). A warrant and summons for arrest in rem was entered on October 2, 2006.

The U.S. Marshal Service properly noticed this forfeiture action pursuant to the Supplemental Rules. Notice of the forfeiture action was published for three consecutive weeks in a newspaper of general circulation in the county where the property was seized. The notice described the property with reasonable particularity, stated that a claim and answer against the Defendant property had to be filed within 30 days of actual notice, and stated the name of the government attorney to be served with the claim and answer.

Additionally, pursuant to the Supplemental Rules, the Government by certified mail notified Clifford Nelson, Jr. of the forfeiture action. Return receipt verifying delivery to Mr. Nelson's attorney was returned to the Government on October 12, 2006.

No claims have been filed since the last date of publication of notice of the forfeiture action on November 3, 2006. And no person has filed a claim within the time permitted by Rule C of the Supplemental Rules.

Because the Government has complied with the notice provisions in the Supplemental Rules and because no claims against the Defendant property have been made, the Court hereby **GRANTS** the motion for **DEFAULT JUDGMENT** in favor of the Government and against all persons who claim an interest in Defendant property. Further, the Court **DECREEES** and **ORDERS** that Defendant property is hereby forfeited to the United States of America to be disposed of according to law. Because this Order disposes of all remaining issues in the litigation, the Clerk is **ORDERED** to **CLOSE** the case.

**DATED: May 2, 2007**

**/s/ RUDY LOZANO, Judge**  
**United States District Court**